

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

RONALD W. COLLINS,

**Plaintiff,**

v.

**NEVADA DEPARTMENT OF  
CORRECTIONS, et al.,**

## Defendants.

Case No. 2:22-cv-01795-CDS-BNW

## ORDER

(ECF No. 4)

9 On October 26, 2022, *pro se* plaintiff Ronald Collins, an inmate in the custody of  
10 the Nevada Department of Corrections (NDOC), submitted a civil-rights complaint under  
11 42 U.S.C. § 1983. (ECF No. 1). But Plaintiff has neither paid the full fee for filing a civil  
12 action nor applied for *in forma pauperis* status. Plaintiff has filed a notice stating that on  
13 October 31, 2022, he submitted a brass slip for \$402 to pay the filing fee for this action.  
14 (ECF No. 4). The Court has not received any payment from the NDOC for Plaintiff. The  
15 Court construes the notice as a motion to extend the time for Plaintiff to either pay the  
16 filing fee or apply for *in forma pauperis* status. And the Court will grant Plaintiff that relief.

17 | I. DISCUSSION

18 The United States District Court for the District of Nevada must collect filing fees  
19 from parties initiating civil actions. 28 U.S.C. § 1914(a). The fee for filing a civil-rights  
20 action is \$402, which includes the \$350 filing fee and the \$52 administrative fee. See *id.*  
21 at § 1914(b). “Any person who is unable to prepay the fees in a civil case may apply to  
22 the court for leave to proceed *in forma pauperis*.” Nev. Loc. R. LSR 1-1. *In forma pauperis*  
23 status does not relieve an inmate of his or her obligation to pay the filing fee, it just means  
24 that the inmate can pay the fee in installments. See 28 U.S.C. § 1915(b).

25 To apply for *in forma pauperis* status, the inmate must submit **all three** of the  
26 following documents to the Court:

- 27       1. A completed **Application to Proceed *in Forma Pauperis*** for Inmate (pages  
28           1–3 of the Court's form) that is properly signed by the inmate twice on page 3;

- 1        2. A completed **Financial Certificate** (page 4 of the Court's form) that is properly
- 2                 signed by both the inmate and a prison or jail official; and
- 3        3. A copy of the **inmate's prison or jail trust fund account statement for the**
- 4                 **previous six-month period.**

5        See 28 U.S.C. § 1915(a)(1)–(2); Nev. Loc. R. LSR 1-2. Plaintiff has not paid the filing fee  
6        for this action or applied to proceed *in forma pauperis*. However, as explained above, the  
7        Court construes Plaintiff's notice about submitting a brass slip as a motion to extend the  
8        time for him to either pay the filing fee or apply for *in forma pauperis* status.

9        **II. CONCLUSION**

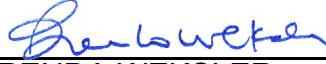
10        **IT IS THEREFORE ORDERED** that Plaintiff's Notice (ECF No. 4) is construed as  
11        a motion to extend the time to either pay the filing fee or properly apply for *in forma*  
12        *pauperis* status, and that motion is **granted**.

13        **IT IS FURTHER ORDERED** that Plaintiff has **until January 10, 2023** to either pay  
14        the full \$402 filing fee or file a complete application to proceed *in forma pauperis* with all  
15        three required documents: (1) a completed application to proceed *in forma pauperis* with  
16        the inmate's two signatures on page 3, (2) a completed financial certificate that is signed  
17        both by the inmate and the prison or jail official, and (3) a copy of the inmate's trust fund  
18        account statement for the previous six-month period.

19        Plaintiff is cautioned that this action will be subject to dismissal without prejudice if  
20        Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff  
21        to refile the case with the Court, under a new case number, when Plaintiff can file a  
22        complete application to proceed *in forma pauperis* or pay the required filing fee.

23        The Clerk of the Court is directed to send Plaintiff Ronald Williams the approved  
24        form application to proceed *in forma pauperis* for an inmate and instructions for the same  
25        and retain the complaint (ECF No. 5 (corrected image)) but not file it at this time.

26        DATED: November 10, 2022.

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BRENDA WEKSLER  
UNITED STATES MAGISTRATE JUDGE